

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

Jayne Lee Smith  
[You are the PLAINTIFF, print your full name on this line.]

v.

Rex William Kepner  
[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

**-FILED-**

APR 27 2022

At GARY T. BELL, Clerk  
U.S. DISTRICT COURT

Case Number: 2:22-cv-64

[For a new case in this court, leave blank.  
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

## PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] En OFFICIAL, and individual capacities. <u>Rex William Kepner, Judge</u>	Benton County Cir. Ct. 706 E. 5 <sup>th</sup> St. Fowler, IN 47944
2	[Put the names of any other defendants in these boxes.] <u>Cindy A. Hamilton, Coltin Clark, Robbin Hobbs, Patty Clouse, Teresa Molter, Kathy Freeman,</u>	Benton Co. Jail, 105 S. Lincoln Ave. Fowler, IN 47944,
3	<u>Marci Maris, John Cole Wright, Jeanna M. Pitstick</u>	Benton County Cir. Ct. 706 E. 5 <sup>th</sup> St. Fowler, IN 47944

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 10

2. What is the name and address of your prison or jail? New Castle Correctional Facility, P.O. Box A, New Castle, IN 47362

3. Did the event you are suing about happen there? ☐ Yes. ☒ No, it happened at: Benton County Cir. Court, 706 E. 5<sup>th</sup> St., Benton County Jail, 105 S. Lincoln Ave., Fowler, IN

4. On what date did this event occur? 2017 - 2020

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

# Attachment of Defendant Names For Prisoner Complaint form

Case # 2:22-cv-64

p. 1 of 1 In thier Official and individual capacities;

(Judge)	Rex William Kepner	Benton County Cir. Ct.
(Clt. Rptr.)	Teresa Moller	706 E. 5 <sup>th</sup> St.
(Clt. Accts.)	Kathy Freeman	Fowler, IN 47944
(Clt. Prob.)	Marci Maris	

(Chf. Pros.)	John Cole Wright	Prosecutor Office
(Dep. Pros.)	Jeanna M. Pifstick	105 S. Grant Ave.
		P.O. Box 101
		Fowler, IN 47944

(Jailer)	Cindy A. Hamilton	Benton County Jail
(Jailer)	Coltin Clark	105 S. Lincoln Ave.
(Jailer)	Robbin Hobbs	Fowler, IN 47944
(Commander)	Patty Clouse	

4-20-2022

### CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

**DO NOT:** Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

**DO NOT:** Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. In between the time of 2017 and 2020 the employees of the County of Benton corporation; Rex William Kepner; Benton County Chief probation Marci Maris, Benton County Chief prosecutor John Cole Wright, Deputy prosecutor Jeanna M. Pitstick, Benton County Court recorders Kathy Freeman and Theresa Molter have defrauded me as a naturalized man, a natural born human being. A "Common Law" man with inherent jurisdiction as evidenced by exhibit "A" the particulars of live birth on file with the State. A Citizen of the United States protected by Constitutional law and a foundation of a Sovereign people and a member of an independent political party and shall state "I am a Sovereign Citizen with rights and inherent power." And violated my Constitutional Rights by altering documents, falsifying evidence, making false claims, altering witness statements, ignoring perjury, lying, and deception. Ordering County departments to "kidnap" and hold me against my will as a hostage for ransom. The employees at the Benton County jail; Robbin Hobbs who denied me access to the courts by refusing me adequate access to a proper law library.

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

## Claims and Facts (continued)

Cindy Hamilton and Coltin Clark falsifying claims. Cindy Hamilton using excessive force by tazing me and aiming directly at my genitals on two different accounts. Patty Clouse conspiring malicious intent with other employees to bring injury to my body and mind. To bind me in restraints and keep me from urinating, defecating, eating or drinking for lengthy amounts of time. Being charged of allegations even when video and eleven witnesses present. Robbin Hobbs and Cindy Hamilton refused to provide me with protective custody when requested and resulted in being attacked by 3 prisoners, Robbin Hobbs maliciously instigated inmates to attack me. Didn't receive proper medical care there after. When "screened" at RDC, I was told by a C/O that if I had did what was done at the Benton County jail there at RDC, then I would leave with a permanent injury. False and malicious statements were included in the "transfer packet". I've endured physical and mental abuse while being held hostage by beings who are supposed to work for me. I've also experienced depression, overwhelming anxiety, trauma, suicidal thoughts and attempts, stress hormones elevated to point of negative reactions to body from environment, malnourishment and actions of others. Cause and effect. Being deprived of exercising my constitutional Rights given by the Grand Architect of the Universe. I've been subjected to abusive treatment and violations of my Civil Rights, due to deliberit indifference and malicious intent.

5. When did this event happen?

- ☐ Before I was confined.  
☐ While I was confined awaiting trial.  
☐ After I was convicted while confined serving the sentence.  
☒ Other: All of the above

6. Have you ever sued anyone for this exact same event?

- ☒ No.  
☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

7. Could you have used a prison grievance system to complain about this event?

- ☒ No, this event is not grievable at this prison or jail.  
☐ Yes, I filed a grievance and attached is a copy of the response from the final step.  
☐ Yes, this event was grievable, but I did not file a grievance because \_\_\_\_\_

8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

A ruling that immanity doesn't apply to these punitive compensatory nominal damages defendants, due to their criminal behavior. Hopefully to have a criminal investigation to be initiated and be eligible for Habeus Corpus consideration and for other relief to be just and proper.

[Initial Each Statement]

JLS I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.

JLS I will keep a copy of this complaint for my records.

JLS I will promptly notify the court of any change of address.

JLS I WILL NOT send more than one copy of any filing to the court.

JLS I WILL NOT send summons, USM-285, or waiver forms to the clerk.

JLS I declare under penalty of perjury that the statements in this complaint are true.

I placed this complaint in the prison mail system on 4 / 21 / 2022 at 1:00 am (pm)

[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]

JLS "All Rights Reserved"  
 Signature

282587

Prisoner Number

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]